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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q95661

Kazuyuki OHMOTO, et al.

Appln. No.: 10/584,280

Group Art Unit: 1614

Confirmation No.: 4079

Examiner: Not yet assigned

Filed: June 26, 2006

For: PREVENTIVE AND/OR THERAPEUTIC AGENT FOR DISEASE IN WHICH  
MITOCHONDRIAL BENZODIAZEPHINE RECEPTOR PARTICIPATES

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /V.R.G

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. §1.704(d) is attached.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON DC SUGHRUE/265550

**65565**

CUSTOMER NUMBER

Date: August 6, 2007



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**STATEMENT UNDER 37 C.F.R. § 1.704(d)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed  
concurrently herewith was cited in a communication from a foreign patent office in a counterpart  
foreign application, and that the communication was not received by any individual designated in  
37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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Substitute for Form 1449 A &amp; B/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

## *Complete if Known*

Application Number	10/584,280
Confirmation Number	4079
Filing Date	June 26, 2006
First Named Inventor	Kazuyuki OHMOTO
Art Unit	1614
Examiner Name	Not yet assigned
Attorney Docket Number	Q95661

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 3,526,633		09/01/1970	Gadekar et al
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		DE	102 19 294	A1	11/13/2003		No
		DE	101 48 617	A1	04/24/2003		No
		WO	03/029223	A1	04/10/2003		No
		WO	02/12242	A2	02/14/2002		English
		GB	865,341		04/12/1961		English
		DE	11 15 261	B	10/19/1961		No
		DE	10 94 264	B	12/08/1960		No
		WO	2004/080457	A1	09/23/2004		English

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Gadekar et al., (XP-002439041) "DIHYDROPYRROLO (3,4-C) PYRAZOLES" (1968) Journal of Medicinal Chemistry, Vol. 11, No. 3, pp. 616-618	English
		Kascheres et al., (XP-002439043) "Reaction of Methyl (E)-2-Phenyl-1-azirine-3-acrylates with Hydrazines and Amidines. Synthetic and Mechanistic Implications" (1991) J. Org. Chem, Vol. 56, No. 1, pp. 7-9	English
		R. Neidlein (XP-002439042) "Bicyclische 3-sulfonylaminopyrazole aus N-(Halogen-methylmercaptomethylen)-sulfonamiden und Enaminen" (1975) Vol. 1, pp. 48-49	
		Partial European Search Report dated July 4, 2007	

Examiner Signature

/Valerie Rodriguez-garcia/

Date Considered

06/15/2009

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /V.R.G